

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

TAYLOR ENERGY COMPANY LLC,
Plaintiff,

*
*

CASE NO. 16-12C

VERSUS

*

JUDGE NANCY B. FIRESTONE

*

THE UNITED STATES OF AMERICA,

*

Defendant.

* * * * * * *

JOINT MOTION FOR STAY OF LIMITED DURATION

Plaintiff, Taylor Energy Company LLC (“Taylor”), and defendant, the United States, jointly move for a stay of these proceedings through and until Monday, October 30, 2017, for the following reasons:

I.

On January 4, 2016, Taylor initiated this proceeding by filing a Complaint alleging that the United States had breached a Trust Agreement dated March 19, 2008. (ECF No. 1)

II.

On May 24, 2016, the United States filed its Motion to Dismiss the Complaint pursuant to Rules 12(b)(1) and (6). (ECF No. 11)

III.

Briefing on the Motion to Dismiss has not yet been concluded.

IV.

By Order dated March 31, 2017, the United States has “until June 5, 2017 to file its reply in support of its motion to dismiss, or the parties shall have until June 5, 2017 to file a joint status

report regarding the status of the settlement negotiations and whether this case should be stayed pending settlement negotiations.” (ECF No. 37)

V.

On Wednesday, April 19, 2017, the parties and their counsel met face-to-face and discussed a “settlement framework” to resolve this matter. This framework contemplated certain actions to take place over the next few months that should be concluded by late summer.

VI.

As part of these negotiations, the parties agreed to ask the Court to stay this matter for a limited duration through and until Monday, October 30, 2017.

VII.

The requested temporary stay will allow the parties to focus their full attention on achieving an amicable resolution undistracted by deadlines in this litigation.

VIII.

In the event that a stay is entered and subsequently expires on October 30, 2017, the United States agrees to file its reply in support of its motion to dismiss on or before Monday, December 4, 2017.

IX.

Accordingly, for the foregoing reasons and for good cause shown, Taylor and the United States jointly move for an order staying this proceeding for a limited duration through and until Monday, October 30, 2017.

Respectfully submitted,

/s/ Carl D. Rosenblum

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**Attorneys for Defendant,
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 8th day of May, 2017, a true and correct copy of the above and foregoing was filed electronically with the Clerk of Court using the CM/ECF system. Notice of this filing will be sent to all counsel of record participating in CM/ECF by operation of the court's electronic filing system.

/s/ Carl D. Rosenblum

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THE UNITED STATES OF AMERICA,

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Defendant.

* * * * *

[PROPOSED] STAY ORDER

The parties' joint motion (ECF No. ____), filed May ____, 2017 for entry of a stay of limited duration is **GRANTED**.

Accordingly, this proceeding is stayed through and until Monday, October 30, 2017. In the event this stay expires, the United States is granted an extension of time to file its reply in support of its motion to dismiss through and until Monday, December 4, 2017.

IT IS SO ORDERED.

NANCY B. FIRESTONE
Senior Judge